

REMARKS

Amendments

In the specification, the title has been amended in accordance with the Examiner's suggestion, and the status of the parent application has been updated.

Claim 1 has been amended to recite that each of the first and second laminates comprises two conductive surfaces. Claims 24 to 26, not elected as a result of a restriction requirement, have been canceled in response to the Examiner's comment in paragraph 1 of the Office Action. One new dependent claim, claim 27, has been added.

The Obviousness Type Double Patenting Rejection

Applicants respectfully traverse the rejection of claims 1-6, 8-10, and 12-23 under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 1-43 of U.S. Patent No. 6,640,420, in view of the attached terminal disclaimer.

The Rejection Under 35 USC § 102(e)

Applicants respectfully traverse the rejection of claims 1-6, 8-10, and 12-23 under 35 USC § 102(e) as anticipated by Barrett (U.S. Patent No. 6,172,591 B1), insofar as the rejection is applicable to the amended claims.

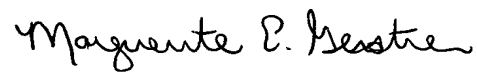
Barrett discloses a device in which three or more PTC devices are connected in parallel by means of alternating a conductive polymer layer (having no conductive surfaces) between two metal foil--conductive polymer--metal foil elements, or by positioning a conductive polymer element having one metal foil surface next to a conductive polymer element with no conductive metal surface. As a result, there is a single conductive metal layer (preferably nodularized on both surfaces; see column 7, lines 21-31) between sequential conductive polymer layers, with external metal layers. This is distinctly different from the process recited in the present claims, in which the first and second laminates secured in a stack each have two conductive surfaces. While Figure 15 of Barrett may disclose two laminates that each have two conductive surfaces (i.e. 116 and 122), it is not possible for these laminates to each provide an external conductive surface of the stack due to the requirement of Barrett that there be at least three layers with at least two internal electrodes. Therefore, Barrett does not anticipate the recited process.

Because independent claim 1 is patentable over Barrett, Applicants contend that the dependent claims similarly are patentable.

Conclusion

Allowance of this application at an early date is requested. If, however, there are any outstanding issues which can be usefully discussed by telephone, the Examiner is asked to call the undersigned.

Respectfully submitted,



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